

Cazenovia Zoning Board of Appeals

Meeting Minutes

July 22, 2013

Members present: Louis Orbach; David Silverman; Richard Sheridan;
Gene Smith

Members absent: Chris Fischer, Chairman (delayed in arriving)

Others present: Wendy Reese, Esq.; Roger Cook; Graham Egerton; Anne Redfern; Gary Mason;
Dena Mason; John Parker; Katherine Parker

Louis Orbach, served as Acting Chairman, because the Chairman was delayed in arriving. L. Orbach called the meeting to order at 7:35 p.m.

The next regularly scheduled meeting is August 26, 2013.

L. Orbach asked if there were any corrections or comments for the June meeting minutes.

Motion by D. Silverman, seconded by G. Smith to accept the June meeting minutes as revised was carried unanimously.

Mason, Gary & Dena – #13-887 – Area Variance – 3757 Burlingame Road

Gary and Dena Mason were present to represent the application.

The Board Secretary stated the public hearing was held open from last month.

G. Mason submitted a map to the Board with the various dimensions and structures as requested. He said he put all the measurements on the map of the existing structures and the proposed building with the setback from the road. He pointed out the various measurements and the property layout to the Board on the newly submitted map.

G. Smith stated the only variance that is required is for a second accessory structure.

The Board Secretary stated another notice was not needed because the public hearing was held open.

L. Orbach asked if anyone was present to speak for or against the application.

No one was present to speak for or against the application.

Motion by G. Smith, seconded by D. Silverman to close the public hearing was carried unanimously.

Motion by G. Smith, seconded by R. Sheridan to appoint the Zoning Board of Appeals as Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA), to declare the matter an Unlisted Action and to make a Negative Declaration of environmental significance, all based upon the Board's review of the Short EAF, and to approve a second accessory building with the location as plotted on the map submitted July 22, 2013 was carried unanimously.

L. Orbach signed and dated the approved map and signed the SEQRA *Part II Impact Assessment Form* of the *Short Environmental Assessment Form*.

R. Cook stated the variance approval is valid for one year.

Parker, John & Katherine – #13-894 – Area Variances (2) – 3411 West Lake Road

John and Katherine Parker were present to represent the application.

The Board Secretary stated the applicant needed two variances. She said the accessory structure will be located in front of the principle structure and they need a variance because the accessory structure will be less than 85' from the center line of the road.

J. Parker showed the Board a picture of his property. He pointed out the proposed location of the 10'x30' Amish shed. He explained his property layout and the reason they came to the determination to place the accessory building as proposed. He said on the west side of the property they only own about 30' to the property line; behind the house is the septic system and he wants it to be accessible from the driveway; and there is an area behind the house, but it would not look attractive.

K. Parker stated behind the house are trees and sloping land that would make it difficult.

J. Parker showed the Board a picture of a house to the North of his property which has the barn in front of the house. He further stated there is another large barn to the South of his property where the barn is also in front of the house.

At approximately 7:45 p.m., C. Fischer joined the meeting and L. Orbach no longer served as Acting Chairman.

R. Cook said the rear lot of the property goes up drastically and there is a stream at the base of the hill.

J. Parker said he put the shed on the survey map in red and the distance of 48' which it would be from the center line of the road.

W. Reese said 37' of relief would be needed.

R. Cook said the side yard setback is fine.

C. Fischer said a different location was approved with the Planning Board and asked the applicant why they moved the location of the accessory building?

J. Parker said if they put the shed where it was granted, it would be way off the driveway, behind the trees, and it would not be very accessible for him. (J. Parker has limited mobility and must use a motorized wheelchair.) He further stated it would be in the middle of the lawn.

J. Parker said they learned about setbacks at the Planning Board meeting and the Board approved the structure in a particular location. He stated they learned they would have to go through a process to place the shed in the proposed location.

C. Fischer stated it had been noticed for a public hearing and asked if anyone was present to speak for or against the application.

C. Fischer asked the Parkers if there was any other location to place the shed without a variance? J. Parker restated that the proposed location would be most accessible to him.

C. Fischer said at the July 3, 2013 the Town of Cazenovia Planning Board meeting; they voted on a positive recommendation for the variances.

The Board Secretary said the Planning Board stated they would like the shed placed with the narrow end facing West Lake Road.

No one was present to speak for or against the application.

Motion by C. Fischer, seconded by G. Smith to close the public hearing was carried unanimously.

D. Silverman inquired if there was any way to move the accessory structure further away from the road?

K. Parker said with the trees located as they are; the shed will fit in there perfectly. She stated if they move it over, they will have to remove trees.

C. Fischer displayed an aerial photo of the property that was in the file.

J. Parker said it could be shifted over about 10' and they could put it at 58' from the center line of the road. He said anything more than that would make it difficult.

R. Sheridan said he would be more comfortable with it 58' from the center line of the road.

R. Cook said the shed location does fit in with the character of the neighborhood.

J. Parker said he could work with the structure being 58' from the center line of the road.

C. Fischer showed the Board a picture of the proposed shed.

J. Parker said the shed would be a different color. He said the siding and roof will match the house. He stated the doors will open on the side as displayed in the photo.

Motion by D. Silverman, seconded by R. Sheridan to appoint the Zoning Board of Appeals as Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA), to declare the matter an Unlisted Action and to make a Negative Declaration of environmental significance, all based upon the Board's review of the Short EAF, and to approve an accessory building with 27' of relief from the center line of the road and the structure will be placed in front of the principle structure was carried unanimously.

C. Fischer changed the dimension on the site map to 58' and initialed and dated the map.

R. Cook said the applicants would need to go to the Planning Board meeting on August 1, 2013.

Motion by R. Sheridan, seconded by L. Orbach to adjourn the meeting was carried unanimously at 8:10 p.m.

Zoning Board of Appeals Secretary – Connie Sunderman – July 24, 2013